



AGENDA
PLAN COMMISSION
Tuesday, December 10, 2019 at 6:30 p.m.
Common Council Chambers, 224 East Jefferson Street

Mayor Jeannie Hefty, Chairman
Tom Preusker, Aldermanic Representative
Bob Grandi, Aldermanic Representative
Chad Redman, Commissioner
Andy Tully, Commissioner
John Ekes, Commissioner
Art Gardner, Commissioner
Mattea Chamberlin, Student Representative

1. Call to Order
2. Roll Call
3. Approval of the minutes of November 12, 2019
4. Letters and Communications: None
5. Citizen Comments
6. Old Business: None
7. New Business:
 - A. Public Hearing to hear public comments regarding a Conditional Use application from David Stauffacher for property located at 416 E. Jefferson Street, to use as a single-family residence.
 - B. Consideration to approve a Conditional Use application from David Stauffacher for property located at 416 E. Jefferson Street to use as a single-family residence, subject to Graef's memorandum to the Plan Commission.
 - C. Public Hearing to hear public comments regarding a Conditional Use application from Bernard Petersen for property located at 109 E. Chestnut Street, to allow for a fenced-in outdoor seating in the rear yard.
 - D. Consideration to approve a Conditional Use and Site Plan application from Bernard Petersen for property located at 109 E. Chestnut Street to construct a fenced-in outdoor seating in the rear yard, subject to Graef's memorandum to the Plan Commission.

8. Adjournment

***Note:** If you are disabled and have accessibility needs or need information interpreted for you, please call the City Clerk's Office at 262-342-1161 at least 24 hours prior to the meeting.*

***Note:** Notice is hereby given that a majority of the members of the Common Council may be present at the meeting. Although this may constitute a quorum of the Council, the Council will not take any action at this meeting.*



Minutes
City of Burlington Plan Commission
November 12, 2019, 6:30 p.m.

Mayor Jeannie Hefty called the Plan Commission meeting to order at 6:30 p.m. Roll call: Aldermen Tom Preusker and Bob Grandi; Commissioners Chad Redman; Andy Tully; and Art Gardner were present. Commissioner John Ekes was excused. Also present were Assistant City Administrator/Zoning Administrator Megan Watkins and City Planner Tonya Fonseca.

APPROVAL OF MINUTES

Commissioner Redman moved, and Alderman Grandi seconded to approve the minutes of August 13, 2019. All were in favor and the motion carried.

LETTERS & COMMUNICATIONS

None

CITIZEN COMMENTS

None

OLD BUSINESS

None

NEW BUSINESS

A. Public Hearing to hear public comments regarding a Conditional Use application from Sharon Johanesen for property located at 496 S. Pine Street to use as a metal machining and fabrication business.

- Mayor Hefty opened the Public Hearing at 6:31 p.m.
- There were no comments.

Alderman Grandi moved, and Commissioner Tully seconded to close the Public Hearing at 6:32 p.m.

All were in favor and the motion carried.

B. Consideration to approve a Conditional Use and Site Plan application from Precision Parts and Fabrication, LLC for property located at 496 S. Pine Street to use as a metal machining and fabrication business, subject to Graef's and Burlington Fire Department's memorandums to the Plan Commission.

- Mayor Hefty opened this item for discussion.
- Tonya Fonseca, Graef, advised the commission this Conditional Use is for a business already in operation, and as part of the City audit, they were revisiting some areas to ensure proper

uses and zonings applied. Ms. Fonseca noted this was a straight forward use, as the business owners were not looking to make any changes to the structure. Fonseca advised as the City is looking to enhance the corridor they want to work with the business to entertain some options for the parking lot exterior area. Fonseca advised the recommendation would be for some parking lot striping and some landscaping requirements.

- There were no further comments.

Alderman Preusker moved, and Commissioner Gardner seconded to approve the Conditional Use and Site Plan contingent to the November 5, 2019 Graef's and Burlington Fire Department's memorandums to the Plan Commission.

All were in favor and the motion carried.

C. Consideration to approve a Site Plan application from Echo Lake Foods for property located at 316 W. Grove Street to construct a 450 square foot switchgear building, subject to Graef's, Kapur & Associates', and Burlington Fire Department's memorandums to the Plan Commission.

- Mayor Hefty opened this item for discussion.
- Ms. Fonseca advised this is a small square footage masonry building allowable in the M-4 District.
- Alderman Grandi questioned why Echo Lake Foods was constructing such a small building on such a large piece of impervious surface. Representative for Echo Lake Foods advised there were three pieces of electrical equipment that go with this building including the main switchgear (primary feed), and the transformers which feed the inside of the building.
- There were no further comments.

Commissioner Redman moved, and Alderman Preusker seconded to approve the Site Plan application from Echo Lake Foods for property located at 316 W. Grove Street to construct a 450 square foot switchgear building, subject to Graef's, Kapur & Associates', and Burlington Fire Department's memorandums to the Plan Commission

All were in favor and the motion carried.

D. Consideration to recommend approval to the Common Council of a Rezone map Amendment application from David Stauffacher for property located at 416 E. Jefferson Street to rezone the property from B-2, Central Business District to Rd-2, Two-Family Residential District, subject to Graef's memorandum to the Plan Commission.

- Mayor Hefty opened this item for discussion.

- Ms. Fonseca explained this rezoning is consistent with the surrounding properties. The use of the property as residential falls under the conditional use section of this zoning, which would better suit the needs of the owner, as he wishes to sell the property as such in the future.
- There were no further comments.

Commissioner Tully moved, and Alderman Grandi seconded to recommend approval to the Common Council of a Rezone map Amendment application from David Stauffacher for property located at 416 E. Jefferson Street to rezone the property from B-2, Central Business District to Rd-2, Two-Family Residential District, subject to Graef's memorandum to the Plan Commission.

All were in favor and the motion carried.

E. Consideration to approve a variance to Ch. 315-27C, pursuant Wisconsin Statutes 62.23(7)(e)(1), for Jeremy and Yvonne Bauman to use the vacant parcel at 216 N. Pine Street as a private parking lot.

- Mayor Hefty opened this item for discussion.
- Megan Watkins, Assistant City Administrator/Zoning Administrator, advised the commission the lot has been vacant for nearly a decade with the previous owner demolishing the two existing buildings on the property in 2006. Watkins stated in August of 2019 she was contacted by Yvonne Bauman, co-owner of Bubba's Brickyard, expressing interest in purchasing the property for the use of a parking lot. At that time, Watkins advised Bauman via email that the lot in its current state could not be used as a parking lot, since there was no primary structure located on it. Shortly after this correspondence, Jeremy & Yvonne Bauman purchased the lot in October of 2019. Cars began parking on it forcing the City to issue a Notice of Violation to the Bauman's, providing them 30 days to cease parking. On October 31, 2019, the Bauman's sent a letter to the City appealing the violation and requesting a variance to allow for a parking lot without a primary structure, and to allow parking on the lot until further improvements could be made.
- City Attorney John Bjelajac advised the commission this variance request before them tonight was a policy decision. He further advised that the commission had the power under the Wisconsin State Statutes to grant the variance with parameters/requirements as they see fit.
- Alderman Preusker expressed his desire to work with the Bauman's to make this parking lot project viable by potentially allowing them to park in the lot through the winter, but requiring plans to be provided, as well as the Bauman's meeting all City codes and standards by an agreed upon date in 2020.
- Commissioner Gardner agreed with Alderman Preusker, adding he felt there needed to be a timeline for the project, as well as a means of holding the Bauman's accountable if requirements were not completed.

- Alderman Grandi was in an agreement to grant the variance allowing the use of the parking lot, contingent upon the lot being asphalted, and meeting all City codes & requirements. However, Alderman Grandi was not in favor of the Bauman's being allowed to park cars in the lot as it currently sits, due to the fact, that it does not show consistency with similar properties in the City. Mayor Hefty advised the commission there had been recent development discussions with the owners of the other vacant lot in the City behind the Coffee House. Hefty noted the owners of that lot requested the City put up no parking signage to discourage people from parking there.
- Commissioner Tully stated he felt the business has a need for the lot, and not allow them to park there until it has asphalted seems like a long time.
- Commissioner Redman agreed with other commissioners that by not allowing the use of the parking lot until asphalted could potentially be an extensive amount of time. On the other hand, Redman was concerned with the potential mess on the streets that could result from use during the winter.
- Jeremy & Yvonne Bauman were present at the meeting and advised the commission of their intentions to clean up the lot to make it viable for use now, as well as for the future when the lot is asphalted.
- Several commissioners suggested the Bauman's meet with City staff, as well as Fonseca, to go over the City's requirements for development of the property, and the Bauman's intentions for the property.
- There were no further comments.

Commissioner Gardner moved, and Commissioner Redman seconded to approve a temporary variance to Ch. 315-27C, pursuant Wisconsin Statutes 62.23(7)(e)(1), for Jeremy and Yvonne Bauman to use the vacant parcel at 216 N. Pine Street as a private parking lot in its current state, contingent upon the submittal of a Site Plan that meets all City requirements submitted to the Plan Commission for the March 10, 2020 meeting.

All were in favor and the motion carried.

ADJOURNMENT

Commissioner Tully moved, and Alderman Preusker seconded to adjourn the meeting at 7:10 p.m.

All were in favor and the motion carried.

Recording Secretary

Angela Hansen
Administrative Assistant



PLAN COMMISSION

ITEM NUMBER: 7A

DATE: December 10, 2019

SUBJECT: A Public Hearing for a Conditional Use application at 416 E. Jefferson Street.

SUBMITTED BY: Megan Watkins, Assistant City Administrator/Zoning Administrator

PROJECT/SCOPE:

A Public Hearing has been scheduled to hear comments and concerns from the public regarding a Conditional Use application from David Stauffacher for property located at 416 E. Jefferson Street. This property was recently rezoned to Rd-2, Two-Family Residential District from the B-2, Central Business District at the November 12, 2019 Plan Commission meeting. The applicant plans to sell the property as a single-family use, which is a Conditional Use in the Rd-2, Two-Family Residential District.

ZONING:

This parcel is zoned Rd-2, Two-Family Residential District.

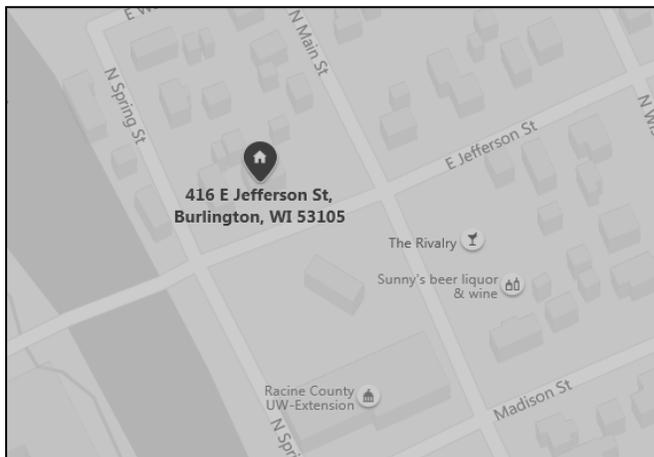
RECOMMENDATION:

N/A

TIMING/IMPLEMENTATION:

This item is for a Public Hearing at the December 10, 2019 Plan Commission meeting and will be for discussion the same night.

MAP:



THE PLAN COMMISSION IN AND FOR THE CITY OF BURLINGTON

Notice of Hearing on
Proposed Conditional Use Permit
Rd-2, Two-Family Residential District

TO WHOM IT MAY CONCERN:

NOTICE is hereby given that the Plan Commission of the City of Burlington, Racine County, Wisconsin, will conduct a hearing to discuss the proposed Conditional Use Permit for:

Owner: David Stauffacher
Applicant: David Stauffacher
Location: 416 E. Jefferson Street
Zoning: Rd-2, Two-Family Residential District
Use: To use the property as a single-family residence

NOTICE IS FURTHER GIVEN that a hearing on the above-mentioned Conditional Use Permit will be held by the City Plan Commission in the Courtroom of the Police Department, in the City of Burlington on:

TUESDAY, DECEMBER 10, 2019 DURING THE MEETING OF THE PLAN COMMISSION SCHEDULED TO BEGIN AT 6:30 P.M. OR SHORTLY THEREAFTER

To consider the above Conditional Use Permit and to hear persons in support thereof or opposition thereto.

CITY OF BURLINGTON
PLAN COMMISSION

Dated at Burlington, Wisconsin, 18th day of November, 2019.

Diahnn Halbach, City Clerk

Published in the Burlington Standard Press
November 21st and November 28th, 2019



PLAN COMMISSION

ITEM NUMBER: 7B

DATE: December 10, 2019

SUBJECT: Consideration to approve a Conditional Use application at 416 E. Jefferson Street.

SUBMITTED BY: Megan Watkins, Assistant City Administrator/Zoning Administrator

PROJECT/SCOPE:

This item is to consider approving a Conditional Use application from David Stauffacher for property located at 416 E. Jefferson Street. This property was recently rezoned to Rd-2, Two-Family Residential District from the B-2, Central Business District at the November 12, 2019 Plan Commission meeting. The land use of this property is a single-family home. Single-family use of this property as residential is consistent with the Future Land Use Plan for the City, which indicates this use as a medium density residential. A single-family use in the Rd-2, Two-Family Residential District is a Conditional Use. This Conditional Use Permit should remain with the property, to facilitate the conditional use for future ownership (as the current property owner plans to sell the property as a single-family use).

ZONING:

The parcel is zoned Rd-2, Two-Family Residential District.

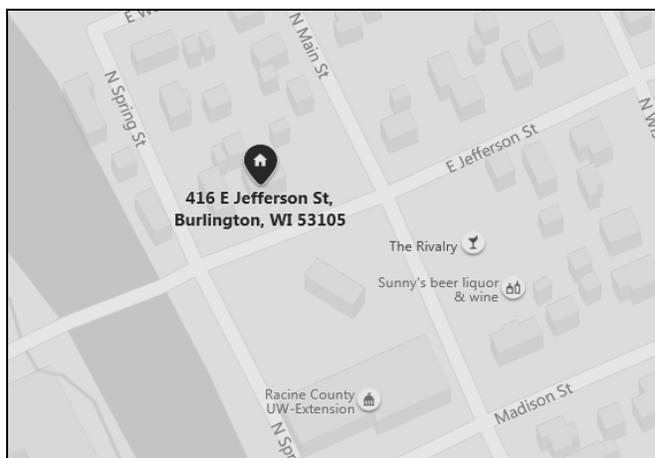
RECOMMENDATION:

Graef recommends approval of this Conditional Use, subject to items listed in the December 2, 2019 memorandum.

TIMING/IMPLEMENTATION:

This item is for consideration at the December 10, 2019 Plan Commission meeting. No further action is necessary.

MAP:





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MEMORANDUM

TO: Plan Commission
City of Burlington

FROM: GRAEF
Tanya Fonseca, AICP

DATE: December 2, 2019

SUBJECT: Review of an Application for a Conditional Use Permit at 416 E. Jefferson Street, Burlington, WI

A. PURPOSE

- 1) Consider for approval an Application for a Conditional Use Permit from David C. Stauffacher of 424 E. Jefferson Street, Burlington, WI 53105 for parcel 206-03-19-32-401-230 located at 416 E. Jefferson Street to utilize the property as a single-family use in the Rd-2 Two Family Residence District.

B. RECOMMENDATION

Based upon the review of the submitted materials, GRAEF recommends that the Plan Commission approves the following:

- 1) An Application for a Conditional Use Permit from David C. Stauffacher for parcel 206-03-19-32-401-230 located at 416 E. Jefferson Street to utilize the property as a single-family use in the Rd-2 Two Family Residence District.

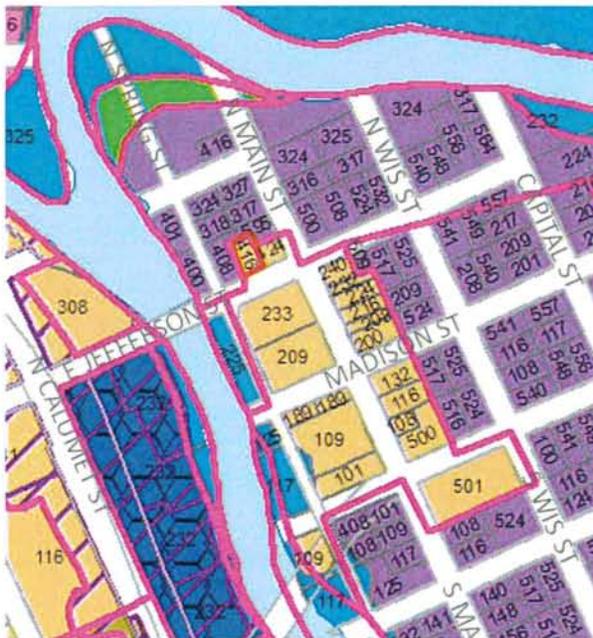
C. BACKGROUND

Applicant David C. Stauffacher is petitioning the City for a Rezoning Map Amendment for his property at 416 E. Jefferson Street. This property was recently rezoned to the Rd-2 Two Family Residence District from the B-2 Central Business District at the November 12, 2019 Plan Commission meeting. The land use of the property is a single-family home. Single-family use of this property as residential is consistent with the Future Land Use Plan for the City, which indicates this use as medium density residential.

A single-family use in the Rd-2 Two Family Residence District is a conditional use. It is recommended that the property be provided a Conditional Use Permit for the property. This Conditional Use Permit should remain with the property, to facilitate the continued conditional use for future ownership (as the current property owner plans to sell the property as a single-family use). Typically, Conditional Use Permits remain only with the current owner, and do not carry over to new ownership. Given the unique circumstances of this property and its zoning district, it is recommended that the CUP remain with the property, until the Rd-2 Two family Residence District is amended.

It is recommended that the City revise this district in the future to be inclusive of single-family homes as a permitted use and potentially be renamed from Rd-2 Two Family Residence District to Rd-2 One & Two

Family Residence District (or it be combined with another existing zoning district). Although duplexes exist in Burlington, the City's neighborhoods as built do not necessitate any districts that are Two Family alone. A formal survey has not been conducted; however it is understood that there are in fact single-family homes in the existing Rd-2 Two Family Residence Districts in Burlington.



City of Burlington Zoning Map:
https://www.burlington-wi.gov/DocumentCenter/View/2518/ZoningMap_p_36x48--020719?bidId=



Racine County Mapbook:
<http://arcgis.racinecounty.com/MapBook/>



Building & Zoning Department
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1163 - (262) 763-3474 fax
www.burlington-wi.gov

APPLICATION FOR A CONDITIONAL USE PERMIT

FOR OFFICIAL USE ONLY
Date Filed 11/12/19
Received by MW

[X] Conditional Use Permit - \$500 Deposit +/- Actual cost

Instructions: Applications are to be filed with the Zoning Administrator, who shall refuse applications that are not complete or that are not legible.

NAMES AND ADDRESSES

Applicant DAVID C. STAUFFACHER
Phone No. 262 716 7606
Applicant's Address 424 E. JEFFERSON ST. BURLINGTON, WI 53105
Applicant's Email Address thedave21@yahoo.com
Owner of the site S.A.A.
Phone No. S.A.A.
Owner's address S.A.A.

DESCRIPTION OF THE SUBJECT SITE

Business name RESIDENCE
Address 416 E. JEFFERSON ST. BURLINGTON, WI 53105
Or if no address exists: Parcel Identification No.
Existing Zoning classification
Description of the proposed use "to use as a single-family residence."
Number of employees / Hours of operation 0

ATTACHMENTS - THE FOLLOWING ITEMS MAY NEED TO BE ATTACHED TO THIS APPLICATION:

PLAT OF SURVEY - prepared by a registered land surveyor showing the location, boundaries, elevations, uses and size of the following: subject site; existing and proposed structures; existing and proposed easements, streets and other public ways; off-street parking, loading areas and driveways; existing highway access restrictions; existing and proposed street, side and rear yards. In addition, the plat of survey shall show the location, elevation, and use of any abutting lands and their structures within (40) feet of the subject site.

If municipal sewage service or water service is not available, a plan shall be approved by the City Engineer who shall certify in writing that satisfactory, adequate and safe sewage disposal and/or a safe supply of water, is possible on the site as proposed by the plan in accordance with applicable local, county and state board of health regulations.

Additional information

Reason for requesting a Conditional Use:

"To use as a single-family residence"

Certificate – I hereby certify that all the preceding statements and attachments submitted hereto are true and correct to the best of my knowledge and belief.

Applicant David C. Stauffacher
(Signature)

DAVID C. STAUFFACHER
(Print)

Owner David C. Stauffacher
(Signature)

DAVID C. STAUFFACHER
(Print)

Date: 11/12/19

Date application Filed: _____

- Applications will not be processed without the property owner's signature.
- Permit may be revoked without notice if misrepresentation of any of the above information or attachments is found to exist.
- Permit is Null and Void if issued in error. It is understood that any permits issued on this application will not grant any right or privilege to erect any structure or to use any premises for any purpose that is prohibited by the Zoning Ordinance or any other state or local laws.
- Changes in the plans or specifications submitted in the original application shall not be made without prior written approval of the Zoning Administrator.

Zoning Administrator: [Signature]
(Signature)

Date: 11/12/19



PLAN COMMISSION

ITEM NUMBER: 7C

DATE: December 10, 2019

SUBJECT: A Public Hearing for a Conditional Use application at 109 E. Chestnut Street.

SUBMITTED BY: Megan Watkins, Assistant City Administrator/Zoning Administrator

PROJECT/SCOPE:

A Public Hearing has been scheduled to hear comments and concerns from the public regarding a Conditional Use application from Bernard Petersen for property located at 109 E. Chestnut Street. The applicant is proposing to allow for a fenced-in outdoor seating patio.

ZONING:

This parcel is zoned B-2, Central Business District.

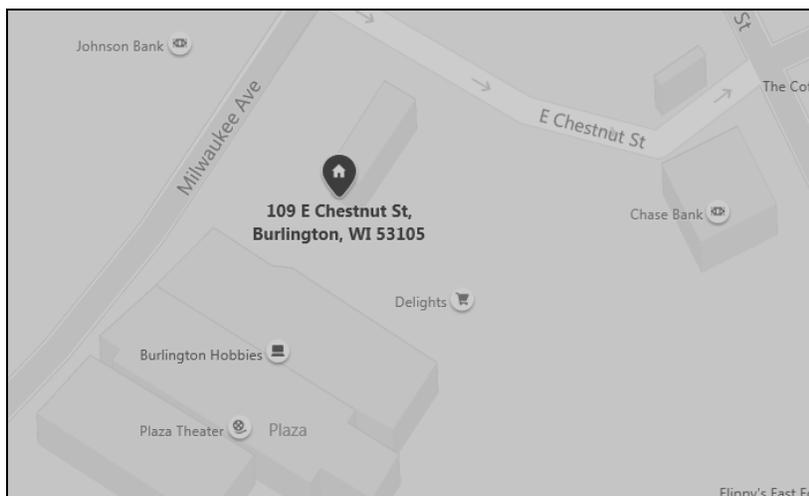
RECOMMENDATION:

N/A

TIMING/IMPLEMENTATION:

This item is for a Public Hearing at the December 10, 2019 Plan Commission meeting and will be for discussion the same night.

MAP:



THE PLAN COMMISSION IN AND FOR THE CITY OF BURLINGTON

Notice of Hearing on
Proposed Conditional Use Permit
B-2, Central Business District

TO WHOM IT MAY CONCERN:

NOTICE is hereby given that the Plan Commission of the City of Burlington, Racine County, Wisconsin, will conduct a hearing to discuss the proposed Conditional Use Permit for:

Owner: Bernard and Michelle Petersen
Applicant: Bernard Petersen – The Runaway Micropub & Nanobrewery
Location: 109 E. Chestnut Street
Zoning: B-2, Central Business District
Use: To allow for a fenced outdoor seating in the rear yard

NOTICE IS FURTHER GIVEN that a hearing on the above-mentioned Conditional Use Permit will be held by the City Plan Commission in the Courtroom of the Police Department, in the City of Burlington on:

TUESDAY, DECEMBER 10, 2019 DURING THE MEETING OF THE PLAN COMMISSION SCHEDULED TO BEGIN AT 6:30 P.M. OR SHORTLY THEREAFTER

To consider the above Conditional Use Permit and to hear persons in support thereof or opposition thereto.

CITY OF BURLINGTON
PLAN COMMISSION

Dated at Burlington, Wisconsin, 18th day of November, 2019.

Diahnn Halbach, City Clerk

Published in the Burlington Standard Press
November 21st and November 28th, 2019



PLAN COMMISSION

ITEM NUMBER: 7D

DATE: December 10, 2019

SUBJECT: Consideration to approve a Conditional Use and Site Plan application at 109 E. Chestnut Street.

SUBMITTED BY: Megan Watkins, Assistant City Administrator/Zoning Administrator

PROJECT/SCOPE:

This item is to consider approving a Conditional Use and Site Plan application from Bernard Petersen, for property located at 109 E. Chestnut Street. The applicant is proposing to construct an outdoor seating area for the business (“The Runaway Micropub & Nanobrewery LLC”). The outdoor seating area is proposed to be surrounded by a six-foot wooden fence. The outdoor seating area is proposed to operate from 4 pm – 11 pm (Thursday / Friday) and from noon – 11 pm (Saturday). There will be 4 employees serving the outdoor seating area during these times. The Conditional approval have the following conditions:

- The applicant updates the site plan that indicates the location of trash and garbage receptacles, and a lighting plan that are in compliance.

This item is also scheduled for the December 19, 2019 Historic Preservation Commission meeting for consideration.

ZONING:

This parcel is zoned B-2, Central Business District.

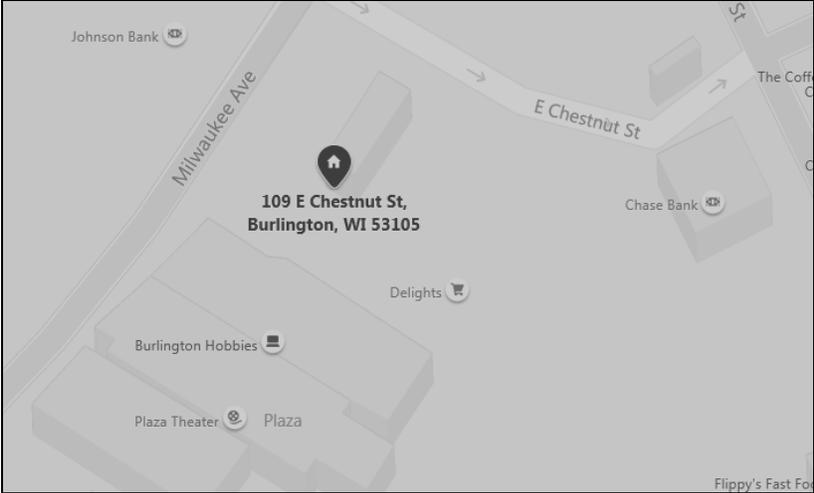
RECOMMENDATION:

Graef recommends a conditional approval of this Conditional Use and Site Plan, subject to items listed in the December 2, 2019 memorandum.

TIMING/IMPLEMENTATION:

This item is for consideration at the December 10, 2019 Plan Commission meeting. No further action is necessary.

MAP:





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MEMORANDUM

TO: Plan Commission
City of Burlington

FROM: GRAEF
Tanya Fonseca, AICP

DATE: December 2, 2019

SUBJECT: Review of an Application for a Conditional Use Permit for a Fenced-in Outdoor Seating Patio

A. PURPOSE

- 1) Consider for approval an Application for a Conditional Use Permit from Bernard Petersen of 124 Monica Court, Burlington, WI 53105 for parcel 206-03-19-32-460-300 located at 109 E. Chestnut Street.

B. RECOMMENDATION

Based upon the review of the submitted materials, GRAEF recommends that the Plan Commission recommend to the Common Council the:

- 1) **CONDITIONAL APPROVAL** of an Application for a Conditional Use Permit for a fenced-in outdoor seating patio for the business located at 109 E. Chestnut Street pending the following:
 - a. The submission of a lighting plan that meets the requirements of §315-27(l); and
 - b. The submission of a site plan that indicates the location of trash and garbage receptacles in compliance with §315-27(L).

C. BACKGROUND

Bernard Petersen (Applicant) submitted an Application for a Conditional Use Permit to construct an outdoor seating area for the business located at 109 E. Chestnut Street ("The Runaway Micropub & Nanobrewery LLC"). The outdoor seating area is proposed to be surrounded by a six-foot wooden fence. The outdoor seating area is proposed to operate from 4pm-11pm (Thursday / Friday) and from noon-11pm (Saturday). There will be four employees serving the outdoor seating area during these times. The property is zoned B-2 Central Business District.

D. COMPLIANCE WITH SECTION 315-27 "B-2 CENTRAL BUSINESS DISTRICT"

Use:

Outdoor seating areas for establishments serving food or beverage are acceptable conditional uses within the B-2 district. The proposed use is compliant with the restrictions established in this section, which are outlined below:

(31) Outside seating for establishments serving food or beverage for consumption outside the structure.
[Added 8-7-2012 by Ord. No. 1954(8)]

- (a) *Plan approval by the Plan Commission.*
- (b) *No outside use area is permitted unless the principal commercial business is fully operational and said principal business is housed in a building.*
- (c) *Hours of service shall be limited to the business hours or as set by the Plan Commission.*
- (d) *No outside use area shall encroach into areas set aside for compliance with other criteria, such as but not limited to: required yard setbacks, sidewalks, building entrances and exits, required motor vehicle off-street parking and drive areas, vision setbacks, landscaping, green space and landscape surface ratio, stormwater detention or retention, pedestrian areas, emergency vehicle lanes and bicycle parking areas and access.*
- (e) *Designated outside areas shall be screened from all residential zoned properties with a six-foot wood composite privacy fence or decorative masonry wall. Areas facing public rights-of-way, public paths or public open space may be designated with decorative fencing and landscaping. No chain link fencing shall be allowed.*
- (f) *Additional yard setbacks, screening and/or landscape areas may be required by the Plan Commission to prevent adverse impacts on surrounding properties.*
- (g) *All food, beverage and condiments shall be cleaned from all outside areas before the business closes for the day. Trash receptacles shall be emptied or removed when full or daily. Trash receptacles shall be covered to limit flies and to prevent the wind from spreading the trash.*

[1] *The entire outdoor food service area utilized for service and consumption of food and beverages shall be visible from inside the principal commercial business to which it is accessory.*

[2] *Any public improvements necessary to accommodate the outdoor food service area shall be approved by the Common Council with recommendation from the Plan Commission and the costs for any such public improvement thereof shall be paid by the applicant.*

[3] *Service of food and alcoholic beverages in all outdoor food service areas shall be limited to persons seated at tables in said outdoor food service areas. Food service shall be required to be available at all times when the outdoor service area is open.*

[4] *The operator of any outdoor food service area shall be responsible for policing the area of the outdoor food service area to ensure that alcoholic beverages are not removed from the outdoor food service area.*

[5] *All spills, food, litter or any other item on the ground surface area associated with the service or consumption of food and beverages shall be cleaned or removed as soon as possible to minimize slip or fall and/or health hazards in the outdoor food service area.*



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Setbacks:

The proposed use is compliant with the setback provisions of this district.

Lighting:

The Application indicates that there are at least four exterior lights proposed for the outdoor seating area. The Application does not include a lighting plan as required by §315-27(I).

Landscaping:

The Application does not propose any changes to the landscaping. The outdoor seating area currently consists of concrete. There are no bufferyard requirements for this property.

Trash and Garbage Receptacles:

The Application does not indicate the location of the trash and garbage receptacles, as required by §315-27(J).

E. COMPLIANCE WITH SECTION 315-130 "CONDITIONAL USE PERMIT"

The Application includes the relevant information required by this section of the Zoning Code.

F. COMPLIANCE WITH SECTION 315-51 "FENCES"

Design and Location:

The 6-foot wooden fence that is proposed to surround the outdoor seating area is compliant with the design and location requirements of this section of the Zoning Code.



CITY OF BURLINGTON

Building & Zoning Department
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1163 – (262) 763-3474 fax
www.burlington-wi.gov

**APPLICATION FOR A CONDITIONAL
USE PERMIT**

FOR OFFICIAL USE ONLY	
Date Filed	<u>11/15/19</u>
Received by	<u>MU</u>

Conditional Use Permit - \$500 Deposit +/- Actual cost

Instructions: Applications are to be filed with the Zoning Administrator, who shall refuse applications that are not complete or that are not legible.

NAMES AND ADDRESSES

Applicant Bernard Petersen

Phone No. 262-903-8970

Applicant's Address 124 Monica Ct. Burlington, WI 53105

Applicant's Email Address bernard@mpcpm.com

Owner of the site Bernard & Michelle Petersen

Phone No. 262-903-8970

Owner's address 124 Monica Ct. Burlington, WI 53105

DESCRIPTION OF THE SUBJECT SITE

Business name The Runaway Micropub & Nanobrewery LLC

Address 109 E. Chesnut St.

Or if no address exists: Parcel Identification No. _____

Existing Zoning classification B-2

Description of the proposed use Fenced in outdoor seating patio in rear

Number of employees / Hours of operation 4 / Th-Fri 4pm - 11pm, Sat Noon-11pm

Other days for holiday weekends, similiar hours _____

**ATTACHMENTS –
THE FOLLOWING ITEMS MAY NEED TO BE ATTACHED TO THIS APPLICATION:**

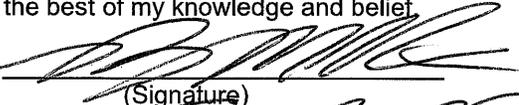
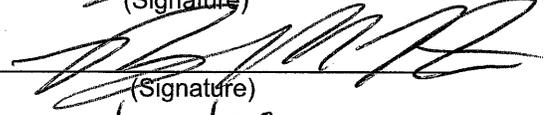
PLAT OF SURVEY – prepared by a registered land surveyor showing the location, boundaries, elevations, uses and size of the following: subject site; existing and proposed structures; existing and proposed easements, streets and other public ways; off-street parking, loading areas and driveways; existing highway access restrictions; existing and proposed street, side and rear yards. In addition, the plat of survey shall show the location, elevation, and use of any abutting lands and their structures within (40) feet of the subject site.

If municipal sewage service or water service is not available, a plan shall be approved by the City Engineer who shall certify in writing that satisfactory, adequate and safe sewage disposal and/or a safe supply of water, is possible on the site as proposed by the plan in accordance with applicable local, county and state board of health regulations.

Additional information

Reason for requesting a Conditional Use:

To provide customers with an outdoor sitting area in rear of building on existing concrete. Area to include a pergola and will be fenced in.

Certificate – I hereby certify that all the preceding statements and attachments submitted hereto are true and correct to the best of my knowledge and belief.	
Applicant  (Signature)	<u>Bernard Petersen</u> (Print)
Owner  (Signature)	<u>Bernard Petersen</u> (Print)
Date: <u>11/15/19</u>	Date application Filed: <u>11/15/19</u>

- Applications will not be processed without the property owner's signature.
- Permit may be revoked without notice if misrepresentation of any of the above information or attachments is found to exist.
- Permit is Null and Void if issued in error. It is understood that any permits issued on this application will not grant any right or privilege to erect any structure or to use any premises for any purpose that is prohibited by the Zoning Ordinance or any other state or local laws.
- Changes in the plans or specifications submitted in the original application shall not be made without prior written approval of the Zoning Administrator.

Zoning Administrator: 
(Signature) Date: 11/15/19



CITY OF BURLINGTON

Planning & Zoning
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1161 – (262) 763-3474 fax
www.burlington-wi.gov

OFFICE USE ONLY	
DATE FILED:	<u>11/15/19</u>
RECEIVED BY:	<u>M.H.</u>
AMT. PAID:	<u>500</u>

SITE PLAN APPROVAL APPLICATION

APPLICATION FEE: \$500 Deposit +/- Actual Cost

Per Section §315-137, no person shall commence any use or erect any structure, with the exception of single-family and two-family dwellings, without first obtaining the approval of the Plan Commission of a detailed site plan(s) as set forth in this section. The Plan Commission shall review the site, natural resource features of the site, site intensity of use, building location, density of dwelling units, floor area, impervious surface area, existing and proposed structures, architectural plans, neighboring uses, potential impacts upon neighboring uses, utilization of landscaping and open space, off-street parking and loading areas, driveway locations, loading and unloading in the case of commercial and industrial uses, highway access, traffic generation and circulation, drainage, sewerage and water systems, and the proposed operation.

View specific Site Plan requirements online at <https://ecode360.com/9753926>

Applicant Information

Property Address 109 E. Chestnut St.
Applicant Name Bernard Petersen
Applicant Address 124 Monica Ct. Burlington, WI 53105
Applicant Email bernard@mpcpm.com Phone Number 262-903-8970

Owner Name Bernard & Michelle Petersen
Owner Address 124 Monica Ct. Burlington, WI 53105
Owner Email bernard@mpcpm.com Phone Number 262-903-8970

Architect/Contractor/Designer Name N/A
Architect/Contractor/Designer Email _____ Phone Number _____

Type of Construction: New Addition Remodel EXISTING CONSTRUCTION
Type of Development: Commercial Industrial Residential OUTDOOR SEATING
Type of Business (if applicable) Small brewery / Taproom

Description of the Project: Outdoor fenced in seating area behind building on existing concrete. Area will include a pergola and will be fenced in. Area will be properly illuminated. There will not be customer access from the alley.
Customers will access the patio from the business, not from the alley.

Detailed Site Plan must include the following information:

Please check each item to ensure you include the required information

- | | |
|---|--|
| <input type="checkbox"/> Project title and date | <input type="checkbox"/> Location and purpose of each building |
| <input type="checkbox"/> Owner's/developer's name/address | <input type="checkbox"/> Development staging that is planned |
| <input type="checkbox"/> Architect's name/ address | <input type="checkbox"/> Existing and proposed topography |
| <input type="checkbox"/> Scale and north arrow | <input type="checkbox"/> Grading plan and soil data may be requested |
| <input type="checkbox"/> Property boundaries and dimensions | <input type="checkbox"/> Building and yard setbacks |
| <input type="checkbox"/> Abutting property zoning | <input type="checkbox"/> Existing and proposed street names (if applicable) |
| <input type="checkbox"/> Off-street parking spaces & handicap parking | <input type="checkbox"/> Driveway locations of adjoining properties |
| <input type="checkbox"/> Density of residential units | <input type="checkbox"/> Existing/proposed right-of-way or reservations |
| <input type="checkbox"/> Landscape plan and greenspace | <input type="checkbox"/> Easements for access (if applicable) |
| <input type="checkbox"/> Signs – type, size and locations | <input type="checkbox"/> Ingress/egress and highway access (with dimensions) |
| <input type="checkbox"/> Building height and dimensions | <input type="checkbox"/> Pedestrian sidewalks and walkways |
| <input type="checkbox"/> Elevations of new structures | <input type="checkbox"/> Environmental corridors/natural resource features |
| <input type="checkbox"/> New building materials | <input type="checkbox"/> Bufferyards |
| <input type="checkbox"/> Outdoor lighting plan and photometrics | <input type="checkbox"/> Existing/proposed sanitary sewer and water mains |
| <input type="checkbox"/> Handicap accessibility | <input type="checkbox"/> Existing/proposed storm sewers |
| <input type="checkbox"/> Fencing, screening and dumpster locations | <input type="checkbox"/> Stormwater management plan |
| <input type="checkbox"/> Fire lanes | <input type="checkbox"/> Erosion control plan |

Please complete the following questions:

Building & Zoning Department

- Current Zoning District: B-2
- Permitted Use? YES / NO Conditional Use? YES / NO
- Is a Rezone required? YES / NO If Yes, Proposed Zoning: _____
- Is a Land Division required? YES / NO
- Is property in the Historic District? YES / NO
- Will there be signage? YES / NO What type (mounted, freestanding): _____
- What kind of noise or level of noise will the property have? _____
- Hours of operation _____

Engineering

- Storm water management provisions provided? YES / NO
- Estimated Traffic impacts: _____
- WDNR Notice of Intent required? (Land disturbance more than 1 acre)? YES / NO
- Watermain extension required? YES / NO
- Sanitary sewer extension required? YES / NO
- Is a Chapter 30 Permit (wetland/waterway) required? YES / NO

Water/Sewer Utilities

If an existing structure please circle the following:

- Will existing sewer & water connections be used? YES / NO
- Will your project require the installation of a grease interceptor? YES / NO

If the development is Commercial or Industrial, please provide the following:

- Water service size requirement: _____
- Estimated daily water usage in gallons per day: _____
- Estimated maximum water flow in gallons per minute: _____
- Number of bathrooms: _____
- Brief description of process (if Industrial): _____

If the development is a multi-family dwelling, please provide the following:

- Number of units: _____
- Number of bedrooms in each unit: _____
- Water service size requirement: _____

Police Department

- Will construction affect street usage such as parking or intersections? YES / NO
- Will additional security and surveillance be required? YES / NO
- What are the hours of operation? _____
- Are you selling or serving alcohol and/or tobacco products? Yes, class B beer license

Fire Department

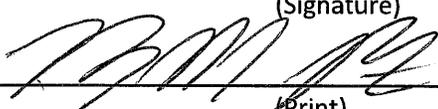
- Square footage of building(s): _____
- Number of Floors: _____
- Occupant Load: _____
- Description of business model and/or process: _____

- Occupancy Type(s): *If mixed use indicate all occupancy type areas. Refer to chart below:*

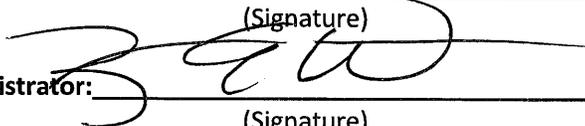
Occupancy Category	NFPA 101/5000 (Occupancy Type)	IBC (Group)	Examples
Assembly	Assembly	A-1	Fixed seating, production/viewing
		A-2	Restaurants, Nightclubs
		A-3	Other assembly (gyms, museums)
		A-4	Arenas, pools
		A-5	Bleachers, grandstands
Business	Business	B	Offices, dentists' offices, city halls
Educational	Educational	E	Schools < grade 12
Industrial	Industrial	F-1	Factories with moderate hazards
		F-2	Factories with low hazard (bricks, glass)
Storage	Storage	S-1	Storage with moderate hazards (furniture)
		S-2	Storage with low hazards (canned goods)
High Hazard	Occupancy Type + hazardous contents requirements	H-1	Detonation hazard (explosives)
		H-2	Accelerated burning hazard (flamm. Gasses)
		H-3	Supported combustion hazard (flamm. Solids)
		H-4	Health hazards
		H-5	Semiconductor fabrications
Medical Care/Institutional	Healthcare (4+ patients)	I-2 (>5 patients)	Inpatient (24 hr) care, nursing homes
Board & Care	Residential Board & Care (4+ persons)	I-1 (>16 persons)	Personal care services and lodging
Day-Care	Day-Care (4+ clients)	I-4 (>5 persons)	Care and supervision (>24 hr)
Detention & Correctional	Detention & Correctional (1+ persons)	I-3 (>5 persons)	Occupants under restraint or security
Mercantile	Mercantile	M	Display, sale of goods (retail)
Residential	Hotel & Dormitories	R-1	Hotels, Motels (transient use)
		R-2	Dormitories
		R-3	Apartments
		R-4 (5-16 persons)	Board & Care, rehab facilities
Special Structures	Occupancy Type + Special Structure provisions	Group U	Towers, tanks

Owner:  Bernard Pearson (Print) Date: 11/15/19

Owner: _____ (Signature)

Applicant:  Bernard Pearson (Print) Date: 11/15/19

Applicant: _____ (Signature)

Zoning Administrator:  (Signature) Date: 11/15/19

Untitled Map

Write a description for your map.

THE LOOP

Legend

- 📍 109 E Chestnut St
- 👜 Christy's Bridal
- 🏢 MPC Property Management, LLC
- 🏠 Shy Violet

THE LOOP COMMONS

THE RUNAWAY

BURLINGTON MENSWEAR

OF COMMERCE

OUTDOOR SEATING

109 E Chestnut St

ALLEY

HOBBY STORE

Milwaukee Ave

Google Earth

© 2018 Google

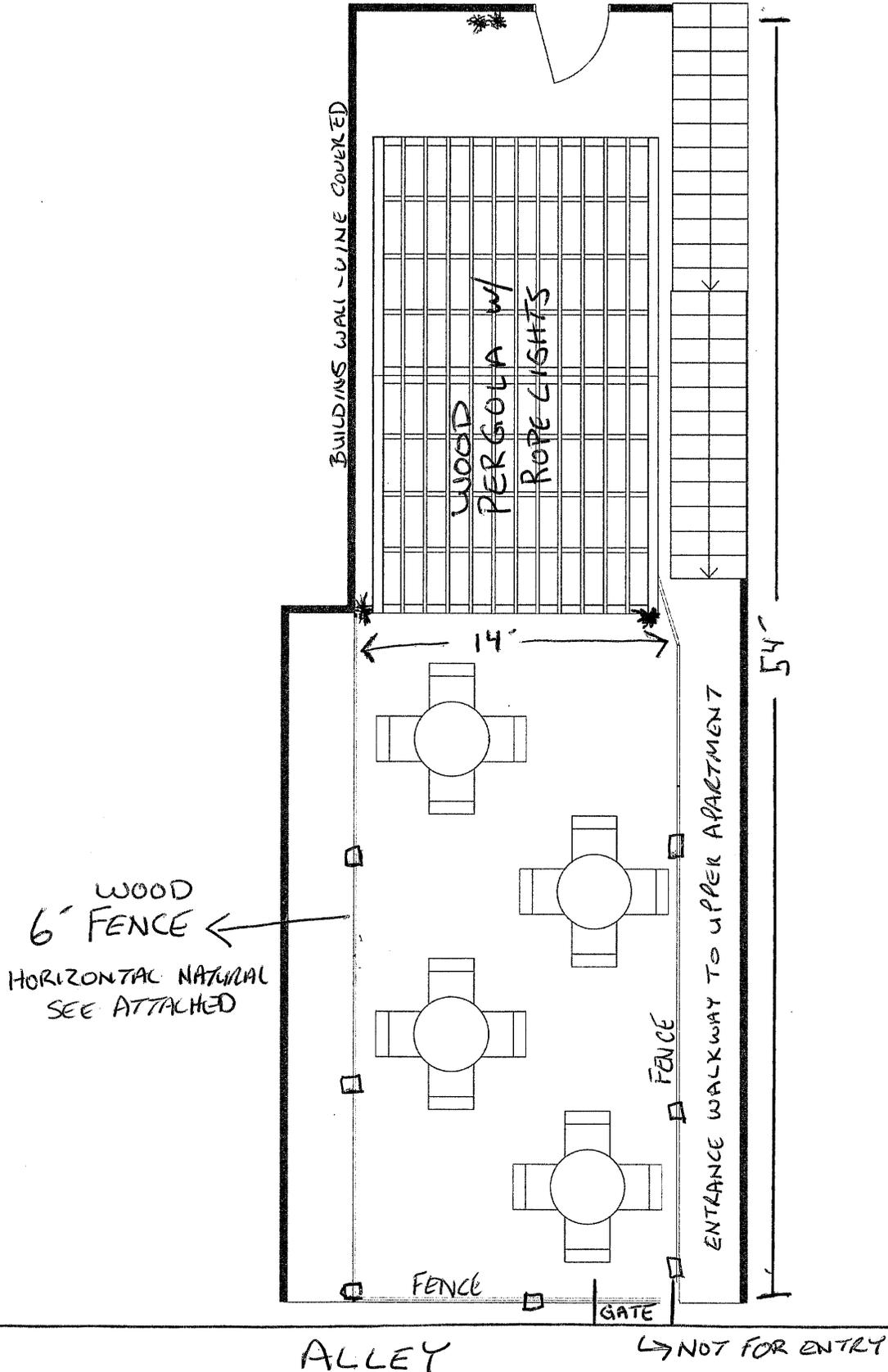
90 ft

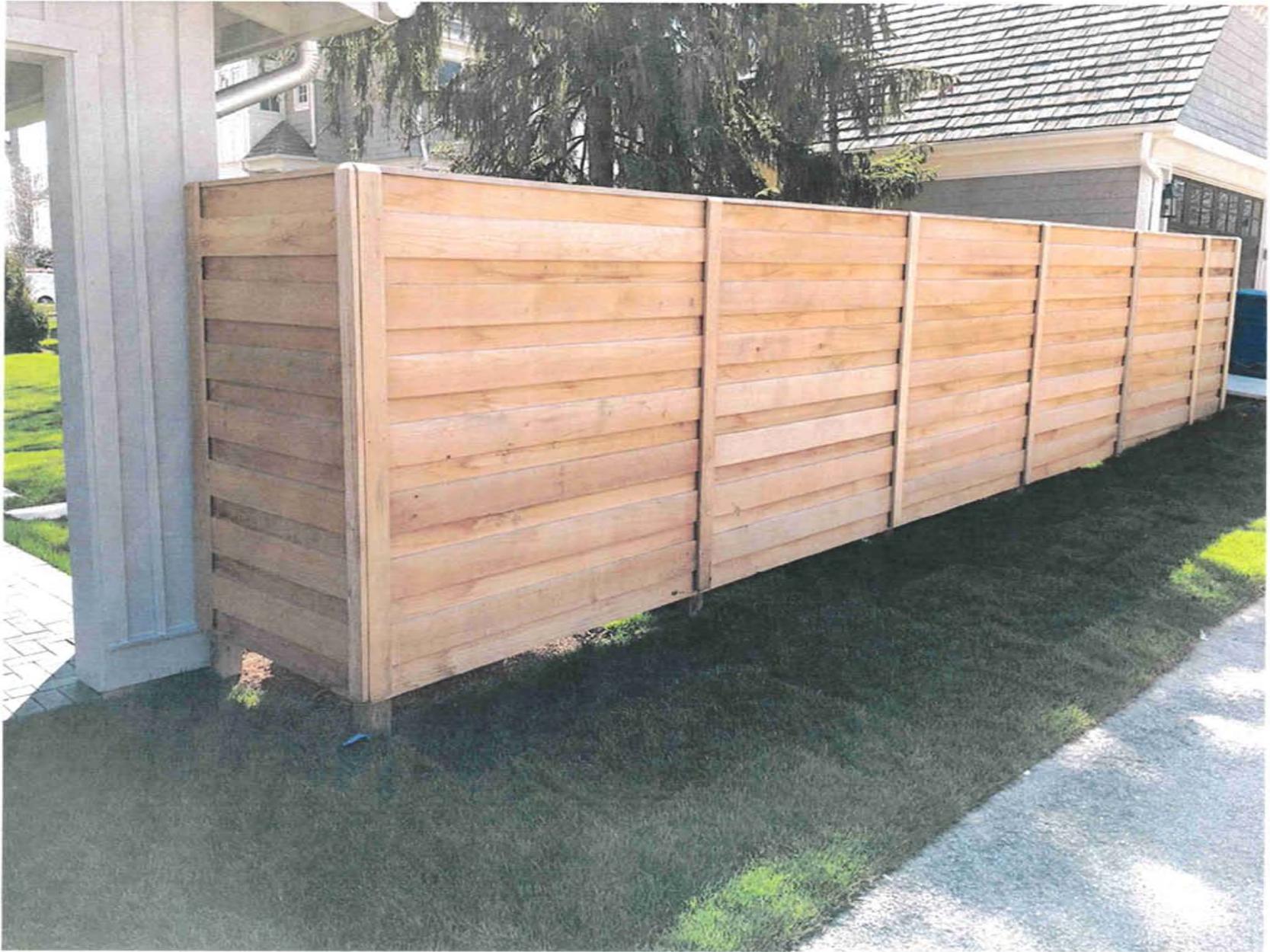


109 E. CHESTNUT
Patio Runaway
Level 1

☼ = LIGHTS
□ = LIGHTS ON FENCE POST

ENTIRE AREA IS EXISTING CONCRETE

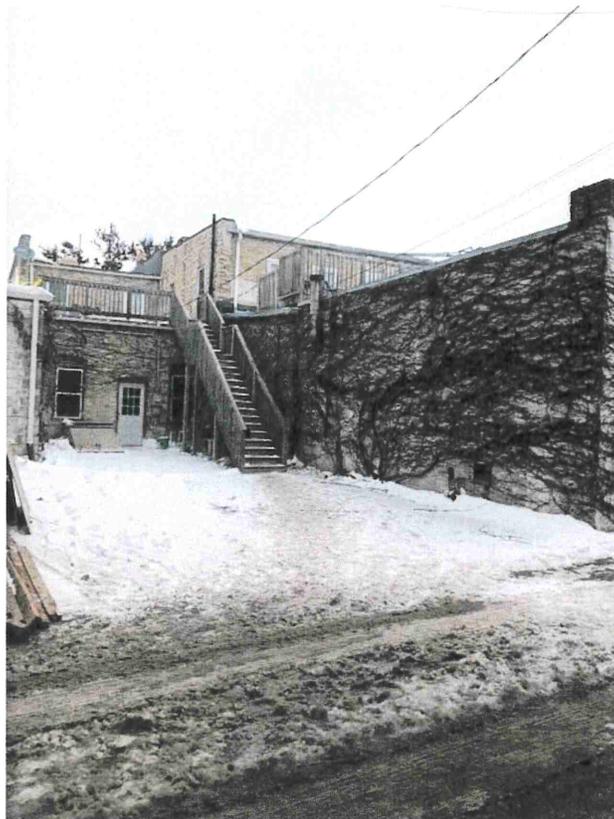




Existing rear concrete from back door



Existing rear concrete from alley



Similar type of outdoor seating down the same alley

